

At the Regular Meeting of the Greenville County Board of Supervisors, held on Monday, February 1, 2010 with Closed Session beginning at 4:00 p.m., and Regular Session beginning at 6:00 p.m., in the Board Room of the Greenville County Government Building, 1781 Greenville County Circle, Emporia, Virginia.

Present: Peggy R. Wiley, Chairman
Michael W. Ferguson, Vice-Chairman
James C. Vaughan
Dr. Margaret T. Lee

The meeting was called to order by Chairman Wiley at 4:00 p.m.

In Re: Closed Session

Mr. Whittington, County Administrator, stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel, 5) Industrial Development, and 7) Legal Matters.

Supervisor Ferguson moved, seconded by Supervisor Lee, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Ferguson, Lee, Vaughan, and Chairman Wiley.

In Re: Regular Session

Supervisor Lee moved, seconded by Supervisor Ferguson, to go into Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Certification of Closed Meeting – Resolution #10-98

Supervisor Lee moved, seconded by Supervisor Ferguson, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Ferguson, aye; Supervisor Lee, aye; Supervisor Vaughan, aye; and Chairman Wiley, aye.

RESOLUTION #10-98

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Greenville County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Greenville County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Greenville County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Greenville County Board of Supervisors.

Chairman Wiley recessed the meeting.

Chairman Wiley reconvened the meeting.

In Re: Approval of Agenda

Mr. Whittington stated that Staff recommended approval of the Agenda with one added item in Closed Session- Personnel Matter and one added item in Open Session – Item D, Contract to Improve Railroad Spur.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve the Agenda as amended. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Approval of Consent Agenda

Mr. Whittington stated that Staff recommended approval of the Consent Agenda.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve the Consent Agenda containing the following items. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Minutes of January 19, 2010

In Re: Budgetary Matters

Budgetary Matters consisting of the following: Fund #018 – Journal Voucher #2, in the amount of \$8,839.00, which is incorporated herein by reference.

In Re: Warrants

Approval of Accounts Payable for February 1, 2010, in the amount of \$265,090.12

Approval of Payroll for January 31, 2010, in the amount of \$340,217.41

In Re: Road Matters - Mr. Joe Lomax, VDOT's Residency Administrator

Mr. Whittington stated that Mr. Lomax had called the office earlier and stated that he would not be able to attend the meeting.

Chairman Wiley stated that there were bad potholes located on Highway 58, near Woodruff Store on the eastbound lane. She stated that there were also potholes located on the westbound lane, but not as bad as the eastbound lane.

In Re: Citizens Comments

Mr. Whittington invited anyone present who wished to address the Supervisors, to come forward and state their name for the record.

Mrs. Rae George addressed the Board of Supervisors and stated that after the approval of the Black History Resolution, she and Mr. Cornell Hines would like to have a picture taken in honor of Black History Month.

Ms. Theresa Welch addressed the Board of Supervisors and stated that she wished the Sheriff was the meeting because she felt that the Sheriff and his department should be commended for the capture of the robbers who had been terrorizing the community.

Mr. Cornell Hines addressed the Board of Supervisors and made comment that the Crater District Area on Aging was looking towards opening another site for the community. Mr. Whittington stated that if he needed a resolution of support to just contact him.

In Re: Black History Resolution #10-100

Mrs. Natalie Slate, Deputy County Administrator addressed the Board and read the following resolution into record.

**RESOLUTION #10-100
RECOGNITION OF BLACK HISTORY MONTH
FEBRUARY 2010**

WHEREAS, the month of February has been set aside as a time to recognize accomplishments by African-Americans; and

WHEREAS, two natives of Southside Virginia, the late Dr. Charles Drew and Dr. Carter G. Woodson, and many others were instrumental in initiating scholarly studies of black history and other historical endeavors; and

WHEREAS, the late Garland P. Faison, was the first African-American to hold elected office in Greenville County; first as Justice of the Peace and then as a member of the Board of Supervisors for 20 years where he was dedicated to improving conditions in the County for all citizens; and

NOW, THEREFORE, BE IT RESOLVED that the Greenville County Board of Supervisors does hereby recognize February 2010 as Black History Month in Greenville County.

BE IT FURTHER RESOLVED that the Board of Supervisors encourages all Greenville County residents to actively pursue information that will enlighten them on the many valuable accomplishments to Greenville County by African Americans.

Supervisor Vaughan moved, seconded by Supervisor Lee, to approve Resolution #10-100. Voting aye: Supervisors Ferguson, Lee, Vaughan, and Chairman Wiley.

In Re: Resolution #10-99

Mr. Whittington addressed the Board stating that this was a resolution affirming Greenville County's Endorsement of an Independent Policy Board of the John Tyler Alcohol Safety Action Program (ASAP). He stated that Greenville County had been a part of the John Tyler Program (ASAP) for many years and from time to time, the Program would ask that the County take action to approve a resolution that renews the County's interest for the program. Mr. Whittington read the following resolution into record.

RESOLUTION #10-99
RESOLUTION AFFIRMING GREENSVILLE COUNTY'S ENDORSEMENT
OF AN INDEPENDENT POLICY BOARD FOR THE JOHN TYLER ALCOHOL
SAFETY ACTION PROGRAM

WHEREAS, the Commonwealth of Virginia, in the interest of highway safety, has enacted laws to create programs for probation, education, and rehabilitation of persons convicted of driving motor vehicles under the influence of alcoholic beverages and other self-administered drugs. These programs are known as Alcohol Safety Action Programs or ASAPs; and

WHEREAS, since 1979, the local program "John Tyler Alcohol Safety Action Program" has been serving the Cities of Colonial Heights, Emporia, Hopewell, Petersburg and the Counties of Chesterfield, Dinwiddie, Greenville, Henrico, Powhatan, Prince George, Surry and Sussex, providing probation, education, and rehabilitation of person charged in violation of Virginia Code Section 18.2-266, and providing other services approved by the Commission on VASAP; and

WHEREAS, Sections 18.2-271 and 18.2-271.2 of the Code of Virginia to establish a Commission on VASAP; said Commission to establish procedures for the operation of local ASAP programs; and April 3, 1987, said Commission issued directives that all local ASAP programs would establish and implement an independent Policy Board, representative of localities served, to operate the program; and

NOW, THEREFORE, BE IT RESOLVED that, the Greenville County hereby affirms its position as a participating locality in the John Tyler Alcohol Safety Action Program, herein called the Program, endorses the continuation of an independent Policy Board, and agrees to the following:

1. The Policy Board consists of at least seven (7) but not more than fifteen (15) members.
2. Each city and county governing body shall appoint one (1) member to serve as a representative to the John Tyler ASAP Policy Board for a term of three (3) years; and additional Policy Board members shall be elected according to the

Policy Board's by-laws. Membership not appointed by the governing bodies of represented jurisdictions, at the discretion of the Board, shall be selected or elected from but not limited to the judiciary, the bar, law enforcement, education, treatment professionals and other interested groups such as local transportation safety commissions. Vacancies which occur on Board shall be filled by majority vote of the remaining Board Members from nomination of other Board Members and participating governing bodies of the jurisdiction.

3. A Chair, Vice Chair and Secretary shall be elected in accordance with the by-laws. The Program's Executive Director shall serve an ex-officio member without voting power.
4. The Policy Board shall hire and supervise the Program's Executive Director. The Executive Director shall be responsible to implement operational policies for the Program, hire and supervise staff for the Program and control all revenues and expenditures. The Executive Director shall serve at the pleasure of the Policy Board.
5. The program shall be operated by the Board in compliance with the VASAP Commission Policies and Procedures and in conjunction with requirement of the local administrative and fiscal agency;
6. Each fiscal year, the Executive Director shall prepare a budget and submit it for approval to the John Tyler ASAP Policy Board the Commission on VASAP. The VASAP Commission shall be responsible for funding any deficit occurring in the operation of John Tyler ASAP;
7. An annual report shall be prepared under the supervision of the Policy Board indicating the activities of John Tyler ASAP;
8. This agreement shall remain in effect continuously from year to year until termination either by the John Tyler ASAP Policy Board, local jurisdiction, or the Commission on VASAP. Participating cities or counties may withdraw at any time by official action of its governing body and appropriate notice to the John Tyler ASAP Policy Board. If a locality withdraws, its representatives shall no longer serve on the John Tyler ASAP Policy Board; and
9. The Program may acquire and own real property and personal property as approved by the Policy Board for the Program's operation. Title to such property shall be vested in the Program. Should the Program cease to operate, all property shall be disposed of pursuant to applicable provisions of the Virginia Code. The Policy Board may seek the advice of the Commission on VASAP and the Attorney General. It is the intent of this resolution that the Program's assets, upon either partial or complete dissolution of the Program, shall be divided amongst the participating localities at the time of dissolution in the same proportion as the clients served from that locality.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve Resolution #10-99. Voting aye: Supervisors Ferguson, Lee, Vaughan, and Chairman Wiley.

In Re: Washington Park Community Improvement Program, Phase IV

Housing Rehabilitation and Infrastructure Improvements

Mr. Moses Clements, Director of Engineering, addressed the Board of Supervisors stating that Housing Rehabilitation and Infrastructure Improvements, Phase IV was another contract item whereas Staff requested action to appoint the SVDC to administer the housing activities and to appoint the SVDC Board of Directors to act as the Housing Rehab Board for the fourth phase of the Washington Park Project. He stated that the SVDC Board of Directors had already accepted the responsibility contingent upon the Board's appointment.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve Staff's recommendation concerning the Housing Rehabilitation and Infrastructure Improvements, Phase IV. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Housing Program Design

Mr. Clements also addressed the Board of Supervisors stating that the Housing Program Design, Phase IV was whereas Staff requested that the Board take action to formally adopt the Housing Program Design.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Housing Program Design, Phase IV. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Boards and Commissions Appointments

1. Board of Zoning Appeals – Circuit Court Appointed for a term of five years.

Chairman Wiley requested that the Board of Supervisors defer the appointment until the next meeting.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to defer the appointment until the next meeting.

2. Electoral Board – Circuit Court Appointed for a term of three years.

<u>Present Appointee</u>	<u>Term Ending</u>
Mable P. Powell	02/28/2010

Chairman Wiley requested that a nomination be made for an individual to serve on the Electoral Board.

Supervisor Ferguson moved, seconded by Supervisor Lee, to nominate Mrs. Mable Powell for consideration to serve on the Electoral Board. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

3. Emergency Food and Shelter Program – An At-Large Appointment for a term of one year.

<u>Present Appointee</u>	<u>Term Ending</u>
Natalie Slate	02/28/2010

Chairman Wiley requested that an appointment be made for an individual to serve on the Emergency Food and Shelter Program.

Supervisor Lee moved, seconded by Supervisor Ferguson, to re-appoint Mrs. Natalie Slate to serve on the Emergency Food and Shelter Program for a term of one year. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Contract on Railroad Spur Repair

Mr. Reggie Owens addressed the Board of Supervisors stating that at the December 21, 2010 meeting, the Board approved Resolution #10-87 allowing Staff to solicit a RFP for repairs needed on the Industrial Rail Spur. He stated that Staff received one proposal from TRAC Corporation in the amount of \$50,490 to complete the repairs and prevent future problems.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the contract on railroad spur repair with TRAC Corporation. Voting aye: Supervisors Ferguson, Lee, Vaughan, and Chairman Wiley.

In Re: Miscellaneous Matters – Departmental Reports and Staff Work Programs

Various Departmental Reports and Staff Work Programs were prepared for the Board's review and comments.

Chairman Wiley asked if there were any questions or comments concerning the reports. There were none.

Chairman Wiley recessed the meeting until the conclusion of the Water and Sewer Authority Meeting.

Chairman Wiley reconvened the meeting in Closed Session

Mr. Whittington stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel Matters

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Ferguson, Lee, Vaughan, and Chairman Wiley.

In Re: Regular Session

Supervisor Lee moved, seconded by Supervisor Ferguson, to go into Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Certification of Closed Meeting – Resolution #10-102

Supervisor Lee moved, seconded by Supervisor Ferguson, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Ferguson, aye; Supervisor Lee, aye; Supervisor Vaughan, aye; and Chairman Wiley, aye.

RESOLUTION #10-102
CERTIFICATION OF CLOSED MEETING

WHEREAS, the Greenville County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Greenville County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Greenville County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Greenville County Board of Supervisors.

There being no further business, Supervisor Ferguson moved, seconded by Supervisor Vaughan, to adjourn. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Peggy R. Wiley, Chairman

K. David Whittington, Clerk